REMARKS

Claims 1-4 are pending in this application.

In response to the non-responsive Communication (Paper No. 14) dated on January 5, 2000, Applicants hereby reinstate the original but previously requested canceled claims 1-4 to avoid the non-responsive assertion that the previously added claims 49-52 were not readable on the elected invention. However, for purposes of expedited prosecution of the present invention, claims 1-4 have been amended to further define Applicants' disclosed invention to overcome the outstanding art rejection and to place the present application in condition for allowance.

Separately, claims 5-48 have been withdrawn from consideration by the Examiner under 37 C.F.R. §1.142(b) as being drawn to a non-elected invention. The Restriction Requirement (Paper No. 8) of Group I (claims 1-4) drawn to a navigation display receiving dynamic information and static information, classified in Class 340, subclass 995; Group II (claims 5–21) drawn to an information display with retrieval range setting and icon setting, classified in Class 340, subclass 995; Group III (claims 22-28) drawn to an information display for receiving data from servers on a network, classified in Class 395, subclass 200.5, has been made FINAL. Applicants believe that the Restriction Requirement was improper, and hereby reserve the rights to petition against such Restriction Requirement in due course.

Claim 4 was rejected under 35 U.S.C. §112, second paragraph, as being indefinite. In particular, the Examiner asserts that the term "said special location" has no antecedent basis. The Examiner's assertion is well taken. Claim 4 has been amended to overcome the rejection.

Lastly, claims 1-4 of elected Group I were rejected under 35 U.S.C. §102(b) as being anticipated by Furuya, U.S. Patent No. 5,257,023. For purposes of expedition, claims 1-4 have been amended to include limitations which render the rejection moot. For example, independent claims 1 and 2 have been amended to further define a navigation display system comprising a communication equipment for transmitting said retrieval condition to an information offering equipment and for receiving a shape information of the icon retrieved according to said retrieval condition so as to display the shape information at a position on said map corresponding to the position information. Therefore, as the icons are provided from the information offering equipment are displayed so as to overlap to the map on the map display, the most new and suitable icons can be displayed on the map despite of increasing or variation of the information provided from the information offering equipment. Moreover, there is no need to store the shape information of the icon in the navigation display system, the navigation display system, which should be compact, can eliminate the storage device for storing shape information.

In addition, independent claims 1 and 2 have also been amended to define a navigation display system comprising **an icon retrieving device** for retrieving shape information of said icon according to said retrieval condition from the map storage device provided in the navigation display system. When said icon retrieving device cannot retrieve said shape information from said map storage device, the icon retrieving device demands the communication equipment to make the information

offering equipment retrieve said information including said shape information of said icon according to said retrieval condition.

The shape information stored in the storage device of the navigation display system is limited, and only the shape information, which is not stored in the storage device of the navigation display system, is retrieved in the information offering equipment and is transmitted to the navigation display system. Therefore, the navigation display system can be compact and the response speed of the navigation display system can be accelerated.

Usually information volume of the shape information is large. If the shape information of many icons is retrieved in the information offering equipment side, a large volume of shape information of many icons is transmitted to the navigation display system. As a result, extensive time is required for transmission, and the response speed of the navigation display system is slow.

In contrast to the usual practice, as the least shape information is retrieved in the information offering equipment side so as to transmit to the navigation display system according to the present invention, the response speed of the navigation display system becomes faster and thereby keeping the navigation display system compact.

These limitations as defined by Applicants' claims 1-4, as amended, are not disclosed or described anywhere in the prior art of record, including Furuya '023. For example, Furuya '023 fails to disclose the use of "a communication equipment for transmitting said retrieval condition to an information offering equipment and for receiving a shape information of the icon retrieved according to said retrieval condition so as to display the shape information at a position on said map corresponding to the

position information" as expressly defined in independent claim 1, and "an icon retrieving device for retrieving shape information of said icon according to said retrieval condition from the map storage device [provided in the navigation display system] and for demanding said communication equipment ... so as to make said information offering equipment retrieve said information including said shape information of said icon according to said retrieval condition" as expressly defined in independent claim 2.

The rule under 35 U.S.C. §102 is well settled that anticipation requires that each and every element of the claimed invention be disclosed in a single prior art reference. *In re Paulsen*, 30 F.3d 1475, 31 USPQ2d 1671 (Fed. Cir. 1994); *In re Spada*, 911 F.2d 705, 15 USPQ2d 1655 (Fed. Cir. 1990). Those elements must either be inherent or disclosed expressly and must be arranged as in the claim. *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 9 USPQ2d 1913 (Fed. Cir. 1989); *Constant v. Advanced Micro-Devices, Inc.*, 848 F.2d 1560, 7 USPQ2d 1057 (Fed. Cir. 1988); *Verdegall Bros., Inc. v. Union Oil Co.*, 814 F.2d 628, 2 USPQ2d 1051 (Fed. Cir. 1987). The corollary of that rule is that absence from the reference of any claimed element negates anticipation. *Kloster Speedsteel AB v. Crucible Inc.*, 793 F.2d 1565, 230 USPQ2d 81 (Fed. Cir. 1986).

In the present situation, Furuya '023 fails to disclose and suggest Applicants' claims 1-4. Therefore, Applicants respectfully request that the rejection of claims 1-4 be withdrawn.

In view of the foregoing amendments, arguments and remarks, claims 1-4 are deemed to be allowable and this application is believed to be in condition to be passed

to issue. Should any questions remain unresolved, the Examiner is requested to telephone Applicants' attorney at the Washington DC area office at (703) 312-6600.

To the extent necessary, the applicants petition for an extension of time under 37 C.F.R. §1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, or credit any overpayment of fees, to the deposit account of Antonelli, Terry, Stout & Kraus, LLP, Deposit Account No. 01-2135 (503.35636X00).

Respectfully submitted,

ANTONELLI, TERRY, STOUT & KRAUS, LLP

Hung H. Bui
Registration No. 40,415

CIB/HHB/ss
(703) 312-6600
Antonelli, Terry, Stout & Kraus, LLP
1300 North Seventeenth Street
Suite 1800
Arlington, VA 22209
(703) 312-6624 (phone)
(703) 312-6666 (fax)